

Delegate Weidemeyer.

DELEGATE WEIDEMEYER: I doubt very much if it would, because I cannot conceive of those areas where the continuing authority is there where we may have opposition.

In any event, whether it would favor or not favor, I think it is good for our future. I have written in here "shall hereafter", and I limit it to hereafter, because I did not want to get involved with this amendment and this possibility of impairment with the existing contract.

DELEGATE MACDONALD: Supposing Comsat, the Communications Satellite Corporation, wanted to get this power from the State of Maryland to condemn this property for an antenna station. Would it not be subject to this limitation of three years?

DELEGATE J. CLARK (presiding): Delegate Weidemeyer.

DELEGATE WEIDEMEYER: I think it would. And if they could not do their condemning in three years, they could come back to the legislature and get an extension of authority.

I do not think the legislature if they wanted them would object to granting them an authority if they showed a reasonable basis for the extension.

DELEGATE J. CLARK (presiding): The Chair recognizes Delegate White.

DELEGATE WHITE: Delegate Weidemeyer, I appreciate the help that you gave me when I was on the stand the other day and I appreciate your very keen concern about the possible anti-social behavior which a private sector of our society might impose upon our citizens in the acquisition of land.

I am trying to find a way to vote for your proposal and I am wondering if you would accept an amendment.

The amendment which I would propose to offer if I can get the right words would require that these private firms should be restricted from practicing discrimination.

If we could do that, I could possibly vote on it.

DELEGATE J. CLARK (presiding): Delegate Weidemeyer.

DELEGATE WEIDEMEYER: I think it is not germane to the subject.

DELEGATE J. CLARK (presiding): The Chair recognizes Delegate Willoner.

DELEGATE WILLONER: Delegate Weidemeyer, the limitation period of three years is not to apply to the completion of court trials but only to the filing of the condemnation papers?

DELEGATE WEIDEMEYER: That is it. Once the court suit is instituted, it is reasonably inferred that they have a right to complete it.

DELEGATE J. CLARK (presiding): The Chair recognizes Delegate Gilchrist.

DELEGATE GILCHRIST: Would you mind saying what you mean by damaging?

DELEGATE J. CLARK (presiding): Delegate Weidemeyer.

DELEGATE WEIDEMEYER: It goes a little further than damages for taking. In the earlier concept if there were damages but no taking, you could not recover compensation for it. Considering this, this is how it would work. Assuming that you were on a highway and authority would be given to a corporation to run a toll bridge and this corporation did not take your property but they went in front of it and the wall of the overpass bridge went higher than the roof of your house, so if your house was only 15 feet from the highway, you certainly would suffer substantial damages although not one bit of your property would be taken. In all fairness, I would say that the condemning authority should pay for those damages.

DELEGATE J. CLARK (presiding): Delegate Gilchrist.

DELEGATE GILCHRIST: Would the same analogy apply if a power company, for example, strung a wire say a couple of hundred yards from your property and interfered with your view?

DELEGATE J. CLARK (presiding): Delegate Weidemeyer.

DELEGATE WEIDEMEYER: Well, if the power company strung a wire across from my property they would be taking the property and there would be the matter of resulting damages in connection with it.

That is a little different situation from what we have set forth. Ours is a question of damages where there is no actual taking. What you cited to me is resulting damage from an actual taking.

DELEGATE J. CLARK (presiding): Delegate Gilchrist.

DELEGATE GILCHRIST: The question, as I asked it, was whether this would